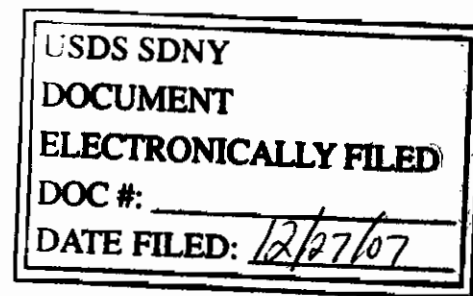


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
Trustees of Unite Here National Retirement  
Fund



Plaintiff,

07 Civ. 8637 (PKC)

-against-

**ORDER OF DISMISSAL**

Smeltzer Enterprises, Inc.  
Defendant

\_\_\_\_\_X

The Court having been advised that all claims asserted herein have been settled, it  
is

**ORDERED**, that the above-entitled action be and is hereby dismissed and  
discontinued without costs, and without prejudice to the right to reopen the action within thirty  
(30) days if the settlement is not consummated. Any pending motions are moot.

A handwritten signature in black ink, appearing to read "P. Kevin Castel", written over a horizontal line.

**P. Kevin Castel**  
**United States District Judge**

Dated: New York, New York  
December 27, 2007